

REMARKS

Applicant respectfully requests reconsideration of the present application in view of the reasons that follow.

Status of Claims:

Claims 39-41 are currently being added.

No claims are currently being canceled.

Claims 1, 3-8, 10-18, 20-27 and 29-38 are currently being amended.

A detailed listing of all claims that are, or were, in the application, irrespective of whether the claims remain under examination in the application, is presented, with an appropriate defined status identifier.

Claims 1, 3-8, 10-18, 20-27 and 29-38 remain pending in this application.

Clarification re: Submission of Certified Copy of Priority Document:

Applicant notes that the Office Action Summary for the first Office Action has a checkmark next to box 12 and box 12a, indicating that an acknowledgement of Applicant's Claim for Priority has been made by the PTO. However, that Office Action Summary did not include a checkmark next to box 12a1, which should have been made to indicate that a certified copy of the priority document was received by the PTO. Such an acknowledgement is requested in the next PTO correspondence. It is noted that the current (second) Office Action has no checkmarks next to boxes 12, 12a and 12a1.

Claim Rejections – Prior Art:

In the final Office Action, claims 1-3, 8-10, 18-20, 27-29 and 35-38 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 5,948,040 to DeLorme et al.; claims 21 and 30 were rejected under 35 U.S.C. § 103(a) as being unpatentable over DeLorme et al.; claims 5-7, 12-17, 24-26 and 32-34 were rejected under 35 U.S.C. § 103(a) as being unpatentable over DeLorme et al. in view of U.S. Patent No. 6,639,550 to Knockheart et al.; and claims 4, 11, 22-23 and 31 were rejected under 35 U.S.C. § 103(a) as being unpatentable over DeLorme et al. in view of U.S. Patent No. 6,336,072 to Takayama et al. These rejections are traversed with respect to the presently pending claims under rejection, for at least the reasons given below.

In the Advisory Action, it appears that the Office Action is not considering all of the limitations written in the presently pending claims, since they were considered as intended use and non-functional materials that would be given patentable weight if written as method steps. While Applicant does not agree with this take on the previously pending claims, the claims have been amended so that they are now method claims, in which all of the features recited in those claims should be given patentable weight.

Accordingly, all of the comments provided in the previously filed reply with respect to distinguishing features over the cited art of record should make those claims patentable over the cited art of record.

As to the comments provided on page 3 of the Advisory Action with respect to DeLorme, it is unclear what portion of the previously filed response the Office Action is referring to when it cited "39 l. 9-11". Applicant's representative could not find any mention in the previously filed response concerning the comments made on page 3 of the Advisory Action. Rather, as mentioned in that previously filed response, DeLorme describes an automatic position determination, based on GPS data, which does not disclose or suggest a user-required input feature as recited in claim 3.

New Claims:

New claims 39-41 have been added to recite additional features of the present invention that are believed to provide an additional basis of patentability for those claims.

Conclusion:

Since all of the issues raised in the Office Action and the Advisory Action have been addressed in this Reply, Applicant believes that the present application is now in condition for allowance, and an early indication of allowance is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or

even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

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